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Appl. No.

: 10/790,603

Confirmation No. 9144

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as Express

Mail and addressed to Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313 on this 16th day of May, 2005.

**Applicant** 

Shang-Neng WU

Filed

March 2, 2004

TC/A.U.

: 3673

Examiner

: Robert G. SANTOS

Atty. Docket No.

5009462-8

Customer No.

21129

Title

: AIR MATTRESS CONTROL

UNIT

EV634458437US

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### AMENDMENT UNDER 37 CFR § 1.111

Sir.

In response to the Office Action dated February 15, 2005, please amend the aboveidentified application as follows:

#### **AMENDMENT**

Amendments to the Claims are reflected in the listing of claims which begins on page two (2) of this paper.

Remarks/Arguments begin on page ten (10) of this paper.

5/18/2005 SMINASS1 00090097/500354

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Adjustment date: 10/21/2005 SFELEKE1 06/02/2005 EKEY11 00000003 500354 10790603 01 FC:2202 100.00 CR

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## SPENCER FANE

BRITT & BROWNELLP

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ATTORNEYS & COUNSELORS AT LAW

2005 AUG TE PET PERM

US PATENT ( TO 5009462-8

J. LORI IVES
LEGAL ASSISTANT
DIRECT DIAL: (816) 292-8339
jives@spencerfane.com

August 12, 2005

Mail Stop 16
Director of the US Patent and Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

Re: Refund Request - Deposit Account Charge CNT - AIR MATTRESS CONTROL UNIT Serial No. 10/790,603; Filed March 1, 2004

Dear Sir:

I am in receipt of our firm's Deposit Account Statement dated June 30, 2005. It appears to us there is an improper charge in the amount of \$100 for the above identified application.

This application was filed on March 1, 2004 with 6 total claims and 2 independent claims. On October 29, 2004, Spencer Fane Britt & Browne LLP filed a preliminary amendment canceling the original 6 claims and adding claims 7-30, among which there were 3 independent claims, for a total of 24 claims. At that time we paid for the additional 4 claims in excess of 20 by giving authorization to charge our deposit account in the amount of \$36.00, the total fees at that time for 4 claims in excess of 20 for a small entity.

On May 16, 2005, we filed a response to Office Action dated February 15, 2005. In this response we kept all 24 claims in the preliminary amendment and added claims 31-37, including 2 additional independent claims. With this we have a total of 31 claims and 5 independent claims. As we paid for 24 total claims with the preliminary amendment on October 29, 2004, at this time we only paid for 7 additional claims and 2 additional independent claims with this response for a total of \$375, by authorization through our deposit account.

On the enclosed Deposit Account Statement, there is an additional charge of \$100 in connection with the above application, with a fee code indicating it is for 4 additional claims in excess of 20. Upon review of the file, it appears we are being charged again for 4 claims in excess of 20, which we had paid on a prior occasion.

1000 Walnut Street, Suite 1400 Kansas City, Missouri 64106-2140

WA 818767.1

(816) 474-8100

www.spencerfane.com

Fax (816) 474-3216

SPENCER FANE

BRITT & BROWNELLP

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Mail Stop 16 August 12, 2005 Page 2

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Please consider this correspondence our request for a refund in the amount of \$100 for the above stated reasons. Please credit the refund back to our firm Deposit Account 500354.

Thank you for your attention to this matter, should you have any questions, or require any additional information, please do not hesitate to contact me.

J. Lori Ives

JLI/jli Enclosure



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### MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

SPENCER FANE BRITT & BROWNE LLP MS. LORI IVES
1000 WALNUT STREET
SUITE 1400
KANSAS CITY MO 64106

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Date							
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